CRIMINAL CAUSE FOR SENTENCING (Time on bench :25)

FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E.D N.Y.
★ JUN 15 2012 ★
LONG ISLAND OFFICE

Before: Seybert, J. Date: 6/15/2012 Time: 10:30

Docket number: CR 11-204 Title: USA-V-

Deft. name: Rafael Rosario Deft. #

X present ___ not present X in custody ___ on bail

Atty. for deft.: Eric Pack ___ C.J.A.

X present ___ not present X RET

A.U.S.A. Christopher Caffarone DEPUTY CLERK: CHARLES BARAN

U.S.P.O.: S. Guttman Court Reporter: S. Picozzi

X Case called for sentence. Counsel for all sides present.

X Statements of defendant and counsel heard.

___ Defendant objections to the PSR are noted.

___ Rulings re: Guidelines are entered on the record.

X PSR adopted.

___ PSR adopted, as amended.

X Guidelines are adopted.

___ Guidelines adopted, as amended.

X The defendant is sentenced as follows:

X The defendant is sentenced to a period of imprisonment of TIME SERVED on Count 1, to be followed by a period of supervised release of 3 years.

X Special conditions of supervised release:

X The defendant shall not possess a firearm, ammunition, or destructive device.

X Other, as more fully set forth in judgment: The defendant shall participate in substance abuse treatment and contribute to its cost (according to ability to pay), as directed by the Probation Dept.

The defendant is subject to search of his person and property.

If deported, the defendant shall not illegally re-enter the United States.

___ The defendant shall be fined the sum of $.

_X_ The fine shall be waived due to the defendant's inability to pay such a fine.

_X_ Special assessment of $100 is imposed on each count for a total assessment of 100.00 .

___ The defendant's motion for a downward departure of the Guidelines is hereby:

___ Decision entered on the record.

___ On motion of the AUSA the remaining counts of the indictment(s) are hereby dismissed.

_X_ The defendant is advised of his right to appeal or the lack thereof.

The defendant _X_remains in custody. ___remains on bail.
___is remanded. ___shall surrender on __/__/2012.